

of every citizen of Maryland, are involved in this commission. I cannot, for any gratification that it might give me, pander to a feeling like this. I want a permanent and an independent judiciary. I want no agitation to be raised every five or ten years. I am satisfied, I certainly shall not vote to submit the elections of the judges of our courts to the people; but I intend at the proper time to move a change in the section that I think will be beneficial to the people; in order to lengthen the tenure, and to prohibit re-eligibility. I would rather have them elected for five or three years, provided you say that they shall never again look to a seat upon the bench, than to elect for ten, fifteen or twenty years, and say that they shall be re-eligible.

I know something about human nature; and show me a judge, pure as he may be; show me a minister of the gospel, the best christian upon the face of the earth, and you show me still a human being. There is an immense difference in the habits of men. Some men are better than others; and my impression is that a large majority of the people are pure, honest, and intend to do what is right. But what do I know about your judiciary system? I have never had but one lawsuit in my life; but courts of law are necessary, and we could not get along without them. I consider our judges and lawyers, when such efficiently as creditable to the State and to the country, and equal to any other class of men in the country. I believe that some of them are honest and pure, and will administer the law rightly, provided you keep all temptations from them; and I tell you that where there is temptation, men glide off imperceptibly and by degrees into corruption. Do you tell me, that if you, a member of this highly honorable profession, were sitting now upon the seat of justice instead of the chair of this august body, and if you had just gone through an agitating and exciting canvass, and if two individuals came before you, who had been present at a political meeting, one of whom was your adversary perhaps, and had abused you, while the other, in your defence, had unjustifiably attacked him and outrageously abused him, you would have no feeling connected with the case, and when the very man who was charged with the assault, had perhaps by his influence carried your election? I do not mean that you would allow yourself to be biased in such a case, but there would be a strong temptation.

We may at first have very good officers, but ultimately I think the election by the people would be a very serious injury to the masses. There is little difference of opinion in Dorchester county upon this subject; and I think I know their wishes as well as any man in the county. They want an independent judiciary. They have considered its importance to them and to the State. We want men at the bench of our courts who will deal out even-handed justice to all; who will fairly and impartially administer the law. Some say that the people should elect clerks, registers, sheriffs, constables, and every other officer. But let me warn this Convention earnestly, though plainly, against tampering with

a power so important to the people. Nothing but Holy Writ can more clearly and strongly set forth the evils growing out of pandering to the popular prejudices, than was made out by the gentleman from Kent, yesterday and the day before. I confess that I have been surprised since I have taken my seat in this honorable body, to find, what I considered, was an amount of radical feeling. I am one of those who have long since determined never when I could avoid it, to give a certainty for an uncertainty. What I known has worked for the benefit of the people, I do not wish to see changed. And so thoroughly am I convinced that to establish by this Convention, the re-eligibility of your judges, would be to work injury to the people that I cannot go for it, and shall sincerely regret to see it made a part of the organic law of our State, and if it be so, it shall be so without my vote.

The question being taken upon the motion to strike out, by yeas and nays, resulted yeas 23, nays 45, as follows:

*Affirmative*—Messrs. Lee, Chambers of Kent, Donaldson, Dorsey, Wells, Randall, Kent, Weems, Colston, John Dennis, Crisfield, Hicks, Goldsborough, Eccleston, Phelps, Tuck, Sprigg, Bowling, Hearn, Fooks, Jacobs, Sappington and Kilgour—23.

*Negative*—Messrs. Ricaud, Pres't pro tem., Mitchell, Morgan, Merrick, Howard, Buchanan, Bell, Welch, Lloyd, Sherwood of Talbot, Dashiell, Miller, Bowie, Spencer, Grason, George, Wright, Dirickson, McMaster, Shriver, Johnson, Gaither, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Stewart, of Caroline, Hardcastle, Gwinn, Sherwood, of Baltimore city, Ware, Schley, Fiery, Neill, Harbine, Brewer, Anderson, Weber, Hollyday, Slicer, Smith, Parke and Shower—45.

So the Convention refused to strike out.

Mr. HOWARD moved that the Convention adjourn, but afterwards withdrew the motion.

Mr. CRISFIELD rose to offer an amendment, in order that it might go upon the journal, to be hereafter acted upon. The Convention having refused to strike out that portion of the bill which provided for the election of judges by the people, and also refused to fix the term of good behaviour, it seemed to him that the attention should be directed towards the perfecting of the system.

He moved to amend the fifth section, by striking out the word "three," and inserting "four," and by striking out all after the words "judicial districts," these words, "one on the Eastern and two on the Western Shore, which said districts shall be laid off as the gubernatorial districts are," and inserting in lieu thereof the following:

"The counties on the Eastern Shore shall compose one district; Allegany, Washington, Frederick, Carroll, Baltimore and Harford counties, shall compose one district; Baltimore city shall be one district; and Anne Arundel, Howard, Montgomery, Prince George's, St. Mary's, Charles and Calvert counties, shall compose one district."

Mr. DORSEY moved to amend the fifth section,